



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Thomas P. McBride
Reg. No. 32,706

In Re Application of:)
Christopher G. Taylor and Yong Huang)
Serial No.: 09/386,605) Examiner: Andrew Wang
Filed: August 31, 1999) Group Art Unit: 1635
For: NOVEL TRANSGENE ASSAY USING STABLE)
AGROBACTERIUM RHIZOGENES TRANSFORMATION)

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith are the following documents in the above-identified application.

- Response to Election/Restriction Requirement under 35 U.S.C. 1.21
- Change of Correspondence Address
- Petition for Extension of time under 37 CFR 1.136(a).
- No additional fee is believed to be required.
- If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly.
- Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

Respectfully submitted,

Thomas P. McBride

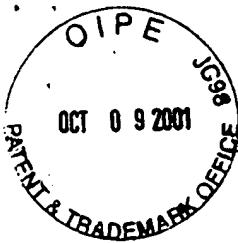
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ELECTION

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Thomas P. McBride
Reg. No. 32,706

In re the Application of: Christopher G. Taylor and Huang Yong

Serial No: 09/386,604 Group Art Unit: 1635
Filed: August 31, 1999 Examiner: Andrew Wang

For: Novel Transgene Assay Using Stable Agrobacterium Rhizogenes Transformation

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT UNDER 35 U.S.C. 1.21

This paper is filed in response to the Office communication dated August 9, 2001. It is respectfully requested that the election below be entered with traverse and that the application be examined on the merits.

Remarks

In the action dated August 9, 2001, the U.S. Patent and Trademark Office required restriction under 35 U.S.C. 121 from among the following groups:

- I. Claims 1-11, drawn to a method of making a transgenic plant, classified in Class 800, subclasses 294.
- II. Claims 12-26, drawn to an assay method using a transgenic plant, classified in Class 435, subclass 6.

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